

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff and Counter-Defendant,

vs.

Civil Action No. 77-71100
Honorable John Feikens

STATE OF MICHIGAN,
Defendant and Cross-Plaintiff
And Cross-Defendant,

vs.

CITY OF DETROIT, a municipal corporation, and
DETROIT WATER AND SEWERAGE DEPARTMENT,
Defendant and Cross-Plaintiff,

vs.

ALL COMMUNITIES AND AGENCIES UNDER
CONTRACT WITH THE CITY OF DETROIT FOR
SEWAGE TREATMENT SERVICES,

et al.

**OPINION AND ORDER DECIDING OBJECTION TO EXTENSION OF
INFRASTRUCTURE MANAGEMENT GROUP CONTRACT THROUGH DEC. 31, 2006**

Oakland County objects to my order of March 9, 2006, extending a contract for the Infrastructure Management Group (IMG) to continue assisting this Court in oversight of DWSD's contracting practices through December 31, 2006. (Objection to Mayor Kilpatrick's Request for Order Approving Contracts, 2 (March 13, 2006).) For the reasons below, I DENY the objection to the IMG contract extension.

In my March 9, 2006 Order, I noted that there had been no objections to my January 23, 2006 Order giving the parties 120 days to execute a new contract. Oakland County claims that the January 23 Order was not filed until March 9, 2006. (Objection 2 n. 2.) This is incorrect. The docket indicates that the January 23 Order was filed on January 23, 2006, as docket number 1877. As the docket notes, the duplicate filing of that document on March 9 was an error, which was immediately rectified by filing the correct order text. (Docket no. 1896 (“FILING ERROR - WRONG IMAGE ATTACHED.”); Docket No. 1897). Thus, my statement that no party had objected to the January 23 Order as of March 9, 2006 was correct.

The January 23 Order was intended to allow this Court’s oversight of DWSD contracting to continue unimpeded. It came to my attention in early January that the IMG contract had expired, and thus it could not continue its assistance to this Court. I issued a temporary order to provide for such assistance while allowing IMG and DWSD time to negotiate a contract that was acceptable to both parties. Once they did so, the Mayor requested that I approve the contract, and I did so. My Opinion and Order of January 6, 2006 offers more details about the work of IMG in helping DWSD to carry forth the demands of federal law efficiently, and why it is crucial that its assistance to this Court not be interrupted.

Therefore, for the reasons above, the Oakland County Objections to the IMG contract extension are DENIED. **IT IS SO ORDERED.**

Date: March 27, 2006

s/John Feikens

United States District Judge

Proof of Service

I hereby certify that the foregoing order was served on the attorneys/parties of record on March 27, 2006, by U.S. first class mail or electronic means.

s/Carol Cohron

Case Manager